

COURT  
Exhibit

/ 5/20/15

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKSECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

CHETAN KAPUR, et al.

Defendants.

Civil No. 11-cv-8094 (PAE)

JOINT STIPULATION OF FACTS AND  
AND ADMISSIBILITY OF EXHIBITS

IT IS HEREBY STIPULATED, by and between Chetan Kapur, Counsel for the United States Securities and Exchange Commission ("Commission"), and Counsel for the Plaintiffs in *Schwarz v. Thinkstrategy Capital Management LLC*, 09-cv-09346 (PAE) ("Schwarz Plaintiffs") that:

1. On January 3, 2013, a Final Judgment was entered in the above captioned case finding Chetan Kapur liable for disgorgement in the amount of \$3,252,271 plus prejudgment interest in the amount of \$735,925.59. Since entry of the Final Judgment, post-judgment interest has accrued.

2. Kapur had notice of the Final Judgment.

3. Kapur has not made any payments towards the Judgment.

## ADMISSIBILITY OF EXHIBITS

Counsel for the Commission, Counsel for the Schwarz Plaintiffs and Defendant Chetan Kapur hereby stipulate and agree to the admissibility of the following Exhibits identified below. The parties reserve the right to present additional documents.

## INDEX OF EXHIBITS

	Exhibit description	Date
SEC 1	Court's January 3, 2013 Final Judgment against	January 3, 2013

**JOINT STIPULATION OF FACTS AND  
AND ADMISSIBILITY OF EXHIBITS**

	Chetan Kapur.	
SEC 2	Certificate from Jeffrey Long stating Kapur's non-payment of Court's Judgment.	May 10, 2015
SEC 3	Email from Chetan Kapur to Philip Stibolt of Bank Sarasin	September 5, 2008
SEC 4	Email from Adrian Taylor of Asia Citi Trust	October 16, 2009
SEC 5	Email from Daniel Leon of Mossfon Trust to Chetan Kapur	May 17, 2010
SEC 6	Email from Chetan Kapur to Daniel Leon	May 20, 2010
SEC 7	Email from Chetan Kapur to Daniel Leon	June 1, 2010
SEC 8	Email from Daniel Leon to Chetan Kapur	June 28, 2010
SEC 9	Email from Kapur to CPA Joseph Romano.	August 19, 2010
SEC 10	Attachment from Kapur to SPA Joseph Romano	August 19, 2010
SEC 11	Email from CPA Joseph Romano to Kapur	August 19, 2010
SEC 12	Letter from Presti & Naegele to Mossfon Trust.	August 19, 2010
SEC 13	April 11, 2015 Economist Article regarding Mossack Fonseca.	April 11, 2015
SEC 14	April 7, 2012 Economist Article regarding Mossack Fonseca.	April 7, 2012
SEC 15	Excel spreadsheet prepared by Deutsche Bank.	August 23, 2011
SEC 16	Excel spreadsheet prepared by HSBC.	January 31, 2012
SEC 17	Excel spreadsheet prepared by Bank of America.	August 23, 2011, January 31, 2012
SEC 18	Bina Rai's January 2012 Bank of America Account Statement.	August 23, 2011
SEC 19	Bina Rai's August 2011 Bank of America Account Statement.	January 31, 2012
SEC 20	CHIPS Spreadsheet	March 6, 2015
SEC 21	Citibank deposit slip with copy of \$48,000 check from Manhattan Motorcars.	March 17, 2014
SEC 22	Bank of America deposit slip with copy of check from Bina Rai to Manju Kapur.	March 28, 2014
SEC 23	Bina Rai's 2007 Federal Income Tax Return	October 21, 2008
SEC 24	Bina Rai's 2008 Federal Income Tax Return	April 14, 2009
SEC 25	Bina Rai's 2009 Federal Income Tax Return	April 12, 2010
SEC 26	Bina Rai's 2010 Federal Income Tax Return	October 26, 2011
SEC 27	Bina Rai's 2011 Federal Income Tax Return	December 24, 2012
SEC 28	Bina Rai's 2012 Federal Income Tax Return	January 28, 2014
SEC 29	Kapur January 16, 2015 Email to Court and SEC	January 16, 2015
SEC 30	Kapur's March 6, 2015 Submission to the Court	March 6, 2015
Sch. 1	Transcript of June 24, 2014 Hearing	June 14, 2014
Def. 1		
Def. 2		
Def. 3		
Def. 4		

**JOINT STIPULATION OF FACTS AND  
AND ADMISSIBILITY OF EXHIBITS**

Def. 5		
Def. 6		
Def. 7		
Def. 8		
Def. 9		
Def. 10		

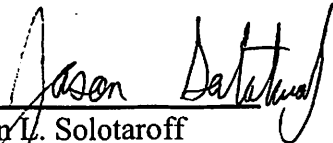
**JOINT STIPULATION OF FACTS AND  
AND ADMISSIBILITY OF EXHIBITS**

Dated: May 19, 2015


s/MICHAEL J. ROESSNER

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Dated: May 19, 2015

  
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Dated: May 19, 2015

  
\_\_\_\_\_  
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## MAY 20/21 HEARING EXHIBITS

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## EXHIBIT

1A	CHETAN KAPUR'S MAY 16, 2015 SWORN DECLARATION AND PRE-HEARING BRIEF
1	CHETAN KAPUR'S MARCH 6 <sup>th</sup> , 2015 SWORN DECLARATION (SUPPORTING DOCUMENTS PROVIDED EARLIER - <i>SEALED</i> )
2	SIGNED LOAN CONTRACTS WITH DETAILED LOAN APPENDICES AND CONTRACT TERMS OF: A) MANJU KAPUR AND NAVEEN KAPUR, B) BINA RAI C) KABIR KAPUR.
3	MANJU KAPUR'S (NAVEEN KAPUR'S AND KARAN KAPUR'S) AFFIDAVIT ON SOURCE OF FUNDS AND OTHER MATTERS
4	BINA RAI'S AFFIDAVIT ON SOURCE OF FUNDS AND OTHER MATTERS
5	KABIR KAPUR AFFIDAVIT ON SOURCE OF FUNDS AND OTHER MATTERS
6	CHETAN KAPUR'S APRIL 30, 2015 IN-COURT TESTIMONY
7	BINA RAI'S SWORN WRITTEN AND IN-COURT TESTIMONY
8	A) SUNDRY OFFERING DOCUMENTS NOTING THE THINKSTRATEGY MANAGED ACCOUNT PROGRAM ("MAP") B) AIM ADVISORY GROUP LLC - DIVERSIFIED STRATEGY MANAGED ACCOUNT PLATFORM SUMMARY C) NATIONAL BANK OF CANADA AND BNP PARIBAS MANAGED ACCOUNT OFFERINGS TO THINKSTRATEGY'S MAP D) SEVERAL OTHER DOCUMENTS AVAILABLE UPON REQUEST
9	BENEFIT TO INVESTOR ANALYSIS OUT-OF-POCKET EXPENSES